

MEMORANDUM

TO: Chairman Phil Mendelson

FROM: Councilmember Christina Henderson

RE: Request to Agendize Measures for the November 1, 2022 Legislative Meeting

DATE: October 27, 2022

I request that you place the following measures on the agenda for the November 1, 2022, Legislative Meeting:

Emergency Legislation

- Coronavirus Immunization of School Students Emergency Amendment Act of 2022
- Coronavirus Immunization of School Students Temporary Amendment Act of 2022
- Coronavirus Immunization of School Students Emergency Declaration Resolution of 2022

The District's student immunization policy, referred to as "No Shots, No School," preconditions students' enrollment in any school in the District of Columbia upon certification of immunization against certain transmissible diseases. The routine pediatric immunizations (RPIs) against tetanus, diphtheria, pertussis, varicella, measles, mumps, rubella, Hepatitis B, Hepatitis A, poliomyelitis, influenza, pneumococcal, human papillomavirus, and meningococcal administered to children between ages 2-16 are required of all students attending District schools. Council passed the Coronavirus Immunization of School Students and Early Childhood Workers Amendment Act of 2021, which added SARS-CoV-2 (COVID-19) immunizations with full Food and Drug Administration authorization to the list of vaccinations required of District students. At that time, the District was in the midst of an unprecedented surge of COVID-19 cases stemming from the new Omicron variant. At the time, the decision to require students to be vaccinated against COVID-19 as a condition of enrollment was the best policy choice available to the Council.

In June 2022, District education leaders announced that the law would be enforced for routine pediatric vaccinations and COVID-19 vaccinations beginning in School Year 2022-2023. The Committee of the Whole held a roundtable on June 29, 2022, at which education agency leaders discussed their plans to inform parents and students of the requirements and to facilitate compliance through outreach and offering vaccination opportunities to District students. In August, the Deputy Mayor for Education announced that the compliance deadlines would be delayed to autumn. On October 11, 2022, the Committee of the Whole held a second roundtable to receive updates from District education agency leaders, who testified that several thousand students had not yet come into compliance with the routine pediatric immunization requirement or the COVID-19 vaccine requirement. They said that they expect most families to come into compliance with the RPI requirements, but that attaining near-complete compliance with COVID-19 requirement will be more challenging. They also discussed the evolving nature of the COVID-19 virus, the evolution of available COVID-19 treatments, and issues with aligning the three databases used to track student immunizations.

The District is working to ensure that the policy goals of universal vaccination against transmissible diseases and of in-person learning are achieved. However, the District must be certain that the data and the treatments on which it bases determinations of exclusion are accurate and up to date before excluding students from school. This pertains not only to District record-keeping, but Centers for Disease Control (CDC) guidance and medical treatments for COVID-19. As COVID-19 treatments improve and are updated, it is essential that students have access to the most effective available treatments possible before being excluded from school. Routine pediatric immunizations do not require periodic updates to remain effective. For that reason, this emergency extends the deadline for compliance to School Year 2023-2024 for only the COVID-19 vaccination requirement. This extension will ensure that students have time to receive the most up to date and most effective disease prevention treatments, allow parents and students the time they need to be better educated about the COVID-19 vaccine's efficacy and merits, and grant the District more time to reconcile the databases upon which it will make student exclusion determinations.

The measures are attached. If you have any questions regarding these measures, please contact Gabrielle Rogoff, Legislative Director, at grogoff@dccouncil.gov.

cc: Members and Staff, Council of the District of Columbia
Office of the Secretary
Office of Policy and Legislative Affairs